

**PSJ4 SOL Opp App A Exh 9**

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION

4 IN RE: NATIONAL ) MDL No. 2804  
PRESCRIPTION OPIATE )  
5 LITIGATION ) Case No.  
6 ) 1:17-MD-2804  
THIS DOCUMENT RELATES TO ) Hon. Dan A. Polster  
7 ALL CASES )  
8 )  
9 )

10 — — —  
11 Thursday, February 14, 2019

12 — — —  
13 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
14 CONFIDENTIALITY REVIEW  
15 — — —

16  
17 Videotaped Deposition of BILL BRANDT,  
18 held at Locke Lord LLP, 2200 Ross Avenue,  
19 Suite 2800, Dallas, Texas, commencing at  
20 9:07 a.m., on the above date, before  
21 Michael E. Miller, Fellow of the Academy of  
22 Professional Reporters, Registered Diplomate  
Reporter, Certified Realtime Reporter and  
Notary Public.

23 — — —  
24 GOLKOW LITIGATION SERVICES  
25 877.370.3377 ph | fax 917.591.5672  
deps@golkow.com

20 Q. Okay.

21 A. Uh-huh.

22 Q. Do you have an understanding of

23 what the reference to Masters is?

24 A. It was a decision. It was a

25 court case.

1 Q. A court decision, right?

2 A. A court decision, that's right.

3 Q. Regarding the reporting of  
4 suspicious orders of controlled substances,  
5 correct?

6 A. That's my understanding, yes.

■ ■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ ■ [REDACTED] [REDACTED]  
■ [REDACTED] [REDACTED]

12 Q. Did you have any discussions  
13 with Mr. Abreu about the Masters decision  
14 around that time, June of 2018?

15 A. I'm sure we did, yeah. I'm  
16 sure we had discussions.

17 Q. Why? Why are you sure that you  
18 had discussions?

19 A. It was a relevant -- it was a  
20 relevant change and, yeah, I remember  
21 discussions with Shaun and with Jim and  
22 regulatory to try to figure out how we were  
23 going to comply and do what we needed to do.

■ ■ [REDACTED]  
■ [REDACTED]

25 Q. Is it your understanding that

1 prior to October 2017, Henry Schein was not  
2 reporting orders when discovered --  
3 suspicious orders when discovered to the DEA?

4 MR. JONES: Object to the form.

5 A. Yeah, I don't know the exact  
6 date that we changed, but we did change. I  
7 just don't know the date that we formally  
8 did -- made that change.

9 BY MR. ACKERMAN:

10 Q. Would Shaun Abreu have been  
11 more knowledgeable about the date that  
12 Henry Schein made that change?

13 A. Yes, I'm sure he would be.

14 Q. So if in October 2017, Shaun  
15 Abreu writes we should start reporting orders  
16 when discovered as a result, does that  
17 indicate to you that at that time,  
18 Henry Schein was not reporting suspicious  
19 orders when discovered to the DEA?

20 A. I guess --

21 MR. JONES: Object to form.

22 A. I don't know. I don't know if  
23 we were or not at that time.

24 BY MR. ACKERMAN:

25 Q. Okay.

1 A. Yeah.

2 Q. Sitting here today do you know  
3 when Henry Schein reports suspicious orders  
4 to the DEA?

5 A. When we do?

6 Q. Yes.

7 A. Yes.

8 Q. When?

9 A. When it pends, when the order  
10 pends prior to us doing our due diligence.

11 Q. And how is it that you were  
12 aware of the procedure now? How did you  
13 become aware of that procedure?

14 A. Because it required additional  
15 resource and just working with Shaun and  
16 regulatory to make sure that we were in  
17 compliance with the Masters ruling.

18 Q. How did it require additional  
19 resource?

20 A. Just more people for the  
21 letters. We have to generate letters and  
22 mail them to the local offices, I believe,  
23 now.

24 Q. So were you involved in -- I  
25 assume it's hiring more people or bringing

1 more people on to the verifications

2 department for that process?

3           A.       I was -- yeah, I probably  
4       worked with Shaun to figure out how we were  
5       going to do that.

6 Q. And in what time frame did that  
7 effort occur?

8           A.       It looks probably 2017  
9       sometime. Again, I don't know the exact  
10      date.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED]

16 Q. How many more people did the  
17 verification department add in order to  
18 effect this change in the manner in which  
19 Henry Schein was reporting suspicious orders  
20 to the DEA?

21           A.       I don't remember exactly what  
22       we did. I don't remember if we brought  
23       somebody new or if we changed a role of an  
24       existing person that -- it may have been  
25       something to do with that, yeah. And I know



CERTIFICATE

I, MICHAEL E. MILLER, Fellow of the Academy of Professional Reporters, Registered Diplomate Reporter, Certified Realtime Reporter, Certified Court Reporter and Notary Public, do hereby certify that prior to the commencement of the examination, BILL BRANDT was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that pursuant to FRCP Rule 30, signature of the witness was requested by the witness or other party before the conclusion of the deposition.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

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MICHAEL E. MILLER, FAPR, RDR, CRR  
Fellow of the Academy of Professional Reporters  
NCRA Registered Diplomate Reporter  
NCRA Certified Realtime Reporter  
Certified Court Reporter

Notary Public in and for the  
State of Texas  
My Commission Expires: 7/9/2020

Dated: 19th day of February, 2019